APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,130	11/20/2003	Eero Kaappa	KOLS.064PA	9110

7590   09/10/2007

Hollingsworth & Funk, LLC
Suite 125
8009 34th Avenue South
Minneapolis, MN 55425

EXAMINER
SALAD, ABDULLAHI ELMI

ART UNIT	PAPER NUMBER
2157	

MAIL DATE	DELIVERY MODE
09/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 August 2007*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

8/13/2007 has been entered.

2.   Applicant's arguments with respect to claims 1-13 have been fully considered but

are not moot in view of new grounds of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Oommen et al., U.S. Patent Application No. 2003/0103484[hereinafter Oommen] in view

of Pulsipher et al., U.S. Patent No. 5,948,055 [hereinafter Pulsipher].

As per claim 1, Oommen discloses a method for determining the priority of a

management object in a device management system comprising at least a device

management server and management customer device, in which the management

server and management customer device are arranged to maintain management object

data in a management tree, the method comprising:

 determining the contents of new management object (see paragraph 0036-0037);

attaching said at least one data element to the management tree maintained by the

management server(see paragraph 0036-0037);

sending a file definition according to the management tree to the management customer

device(see paragraph 0037); and

deassembling the file definition referred to in the management customer device into

management tree form so that said priority data shows the priority data of at least one

sub object in relation to other sub objects(see paragraphs 0011, and 0037-0038).

Oommen is silent regarding: determining in the management server (management

station) at least one data element comprising the priority data of at least one sub object

in relation to other sub objects and determining priority of at least one sub object,

belonging to the management object in relation to other sub objects.

Pulsipher discloses an object management system for prioritizing objects including

determining in the management server (management station) at least one data element

comprising the priority data of at least one sub object in relation to other sub objects and

determining priority of at least one sub object, belonging to the management object in

relation to other sub objects (see fig. 15 and col. 17, lines 13-23). Therefore, it would

have been obvious to one having ordinary skill in the art at the time of the invention to

incorporate the object management mechanism of Pulsipher into the system of

Oommen thus enabling managed object to be processed according theirpriority.

As per claim 2, Oommen discloses method as claimed in claim 1, further comprising

determining in a server device according to SyncML Device Management and in a

customer device according to SyncML Device Management priority data for a

management object comprising provisioning settings of a WAP protocol for a Bootstrap

process (see paragraph 0059).

As per claim 3, Oommen discloses a method as claimed in claim 1, further comprising

determining the data element referred to in the management server, the data element

comprising the priority data of at least one sub object in relation to other sub objects, as

separate leaf objects(see paragraph 0045); and

attaching the leaf objects determining said priority data to the management tree

maintained by the management server so that they are placed in parallel with the

management/sub object, whose priority they determine.(see paragraph 0045).

As per claim 4, Oommen discloses a method as claimed in claim 1, further comprising

determining the data element mentioned in the management server, the data element

comprising the priority data of at least one sub object in relation to other sub objects, as

a run-time property definition(see paragraph 0048); and

attaching said run-time property definitions determining said priority data to the meta

data of the management tree maintained by the management server (see paragraph

0048).

5.   As per claims 5-12, the claims include features analogous with features in claims

1-4, thus claims 5-12 are rejected same rational as claims 1-4.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-

4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the

examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can

be reached on 571-272-4001. The fax phone number for the organization where this

application or proceeding is assigned is **571-273-8300.**

8.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Abdullahi Salad
8/29/2007